

## **REMARKS**

This is in response to the Office Action dated November 30, 2009 and the Advisory Action mailed March 23, 2010. In view of the foregoing amendments and following representations, reconsideration is respectfully requested.

In the Advisory Action, the Examiner did not enter the Amendment filed March 3, 2010. Accordingly, a Request for Continued Examination (RCE) is submitted herewith. Applicants request entry of the amendments filed on March 3, 2010 prior to entry of the amendments presented above.

By the above amendment, claims 1 and 5 are amended. No new matter has been added. Support for the amendments can be found at least in paragraph [0010] of the specification as originally filed. The claims now clarify that the plasma generation step is conducted in a residual hydrogen peroxide and ozone atmosphere within the chamber after exhausting the gas so that hydroxy radicals generated by the plasma discharge allow the object to be sterilized. This amendment should resolve the "clarity" issue raised in the Advisory Action.

Further to the remarks presented in the previous response, the following comments are presented in response to the Examiner's comments on the Continuation Sheet (PTO-303) attached to the Advisory Action.

**Takahashi** discloses the steps of "evacuating (100Torr) → hydrogen peroxide (stop before reaching positive pressure) → sterilizing → (evacuating) → ozone". The ozone brakes down the hydrogen peroxide into water and hydrogen to remove the hydrogen peroxide, thereby eliminating the influence of residual toxicity (see paragraph [0022]).

**Linn '666** discloses the steps of "evacuating (0.2Torr) → hydrogen peroxide → sterilizing → evacuating (0.2Torr) → plasma". In the Linn '666 process, the plasma effects complete sterilization and/or removal of residual hydrogen peroxide (see col. 11, lines 44-46).

Both Takahashi's ozone and Linn's plasma are provided for the purpose of removing hydrogen peroxide. Accordingly, any combination of Takahashi's ozone and Lin's plasma, would result in one of the following processes:

- (1) evacuating → hydrogen peroxide → sterilizing → evacuating → plasma → ozone; or
- (2) evacuating → hydrogen peroxide (stop before reaching positive pressure) → sterilizing → evacuating → ozone → plasma

In contrast, the process of the present invention, as set forth in claims 1 and 5, is as follows:

evacuating → hydrogen peroxide (70Torr) → sterilizing → ozone → sterilizing → evacuating → plasma

That is to say, the process claimed in the present invention comprises the steps of delivering the hydrogen peroxide in a first evacuated state, delivering the ozone before the chamber reaches atmospheric pressure (70Torr), and sterilizing due to both the hydrogen peroxide and the ozone.

In Takahashi and Linn, the hydrogen peroxide is delivered from the first evacuated state until the pressure reaches near atmospheric pressure, and the sterilization is conducted only with the hydrogen peroxide. Takahashi's ozone plays a part in breaking down the hydrogen peroxide into water and hydrogen to remove the hydrogen peroxide. Clearly, the ozone in the Takahashi process plays no part of conducting sterilizing with the hydrogen peroxide.

Therefore, it is submitted that no combination of the Takahashi and Lin '666 references would result in Applicant's invention as set forth in independent claims 1 and 5.

In view of the above, it is submitted that the present application is now clearly in condition for allowance. The Examiner therefore is requested to pass this case to issue.

In the event that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is requested to contact Applicant's undersigned attorney by telephone to promptly resolve any remaining matters.

Respectfully submitted,

Akira MIZUNO et al.

/Michael S. Huppert/

By 2010.04.30 08:52:45 -06'00'

Michael S. Huppert  
Registration No. 40,268  
Attorney for Applicants

MSH/kjf  
Washington, D.C. 20005-1503  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
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